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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

JAMON RIVERA, an individual;
INLAND NW AGC, a membership
organization; SPOKANE HOME

No. 1:23-cv-03070-SAB

DECLARATION OF CHERYL

DECLARATION OF CHERYL STEWART - 1
CASE NO. 1:23-cv-03070-SAB

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BUILDER'S ASSOCIATION, a nonprofit corporation; WASHINGTON STATE ASSOCIATION OF UA PLUMBERS, PIPEFITTERS AND HVAC/R SERVICE TECHNICIANS, a labor organization; CONDRON HOMES LLC, a limited liability company; PARAS HOMES LLC, a limited liability company; GARCO CONSTRUCTION INC., a for-profit corporation, NATIONAL PROPANE GAS ASSOCIATION, a national trade association, CITIZEN ACTION DEFENSE FUND, a nonprofit corporation; AVISTA CORPORATION; CASCADE NATURAL GAS CORPORATION; AND NORTHWEST NATURAL GAS COMPANY,

Plaintiffs,

v.

WASHINGTON STATE BUILDING CODE COUNCIL,

Defendant.

STEWART

DECLARATION OF CHERYL STEWART

I, Cheryl Stewart, declare as follows:

1. I am the Executive Director of the Inland Northwest Association of General Contractors ("Inland NW AGC"), headquartered in Spokane, Washington.
2. Inland NW AGC is a Washington Non-Profit Corporation organized under 501(c)(6). It is a membership organization dedicated to furthering the ever changing agenda of commercial construction contractors. Inland NW AGC represents all facets of commercial construction for both public and private entities, including building, heavy highway, and municipal projects.
3. Founded in 1921, the Inland NW AGC chapter is one of 89 chapters of the Associated General Contractors of America. Inland NW AGC represents over

380 companies throughout Eastern Washington. Our members construct commercial, public, and multi-family residential buildings.

4. Inland NW AGC advocates for the construction industry on federal, state, and local legislative and regulatory issues.
5. The energy code changes that are the subject of this lawsuit increase the cost of building homes and commercial buildings without an equivalent increase in value, potentially reducing our members' margins.
6. Alternatively, if our members pass on the cost of these regulations to the consumer, there will be fewer consumers who can purchase new construction commercial buildings constructed by our members.
7. Some of our members tell us that for large-scale commercial building projects, utilizing electrical heating systems as required by the code changes are causing additional costs and delays. The requirement to install electrical heating systems effectively bans the use of natural gas heating systems. The electrical equipment required to provide an all-electric heating system in a large commercial building, as required by the code changes, is not readily available in the United States. Procuring this equipment causes long delays and additional overhead costs that harms our members.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this May 31, 2023 day of May 2023, at Spokane, Washington.

DocuSigned by:

Cheryl Stewart

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Cheryl Stewart